

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

KABEER KHAN,

Plaintiff,

v.

7-ELEVEN, INC.,

Defendant.

Civil Action No. 1:14-cv-13384-WGY

7-ELEVEN'S MOTION FOR PRELIMINARY INJUNCTION

Defendant 7-Eleven, Inc. ("7-Eleven"), moves under Rule 65(a), Federal Rules of Civil Procedure, for a preliminary injunction against the Plaintiff Kabeer Khan ("Franchisee"), enjoining him from further infringement of 7-Eleven's trademarks and continued violation of the post-termination obligations of the parties' franchise agreement. Specifically, 7-Eleven requests an Order of Preliminary Injunction:

- A. enjoining Franchisee, his agents, servants and employees, and those people in active concert or participation with him, from:
1. Using the 7-Eleven trademarks or any trademark, service mark, logo or trade name that is confusingly similar thereto;
 2. Otherwise infringing upon 7-Eleven's marks or using any similar designation, alone or in combination with any other components;
 3. Causing a likelihood of confusion or misunderstanding as to the source or sponsorship of the Franchisee's businesses, goods, or services; and
 4. Causing a likelihood of confusion or misunderstanding as to the Franchisee's affiliation, connection or association with 7-Eleven and its franchisees or any of their goods and services.

- B. enjoining Franchisee, his agents, servants and employees, and those people in active concert or participation with him from "maintain[ing], operat[ing], engag[ing] in, or hav[ing] any financial or beneficial interest in, advis[ing], assist[ing], mak[ing] loans to, or leas[ing] to, a Competitive Business" located at the Store or at the site of any former 7-Eleven store within two years of it being operated as a 7-Eleven store for one year after termination;
- C. Such other and further preliminary relief as this Court deems appropriate.

For the reasons explained in its supporting memorandum, 7-Eleven respectfully requests that the Court grant its Motion for Preliminary Injunction on the terms stated above.

Dated: September 19, 2014

Respectfully submitted,

7-ELEVEN, INC.,

By its attorneys,

s/Christian C. Burden

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CERTIFICATE OF SERVICE

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) on September 19, 2014.

Additionally, a copy of the foregoing was sent by email and U.S. Mail to:

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s/Christian C. Burden
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